

MARY GIDARO INDIVIDUALLY AND ON BEHALF OF ALL OTHERS  
SIMILARLY SITUATED

Index #: 07 CV 10273

Plaintiff(s)

- against -

Date Filed:

MERRILL LYNCH & CO., INC. ET AL

Defendant(s)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

SIEH CLARK BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on November 20, 2007 at 12:30 PM at

222 BROADWAY, 13TH FLOOR  
NEW YORK, NY 10038

deponent served the within true copy/copies of the SUMMONS & COMPLAINT, ASSIGNED JUDGE'S RULES, INSTRUCTIONS FOR FILING ECF, GUILDLINES FOR ECF, PROCEEDURES FOR ECF on LOU DIMARIA, the defendant/respondent therein named,

**SUITABLE  
AGE**

by delivering thereat a true copy/copies of each to MS. JULISSA MONTERO, ASSISTANT VICE-PRESIDENT a person of suitable age and discretion. Said premises is the defendant's/respondent's actual place of business within the state. She identified herself as the CO-WORKER of the defendant/respondent.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
FEMALE	TAN	BROWN	33	5'4	130

**MAILING**

Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the defendant/respondent at the defendant's/respondent's actual place of business at

222 BROADWAY, 13TH FLOOR  
NEW YORK, NY 10038

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on November 20, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.


**MILITARY  
SERVICE**

Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

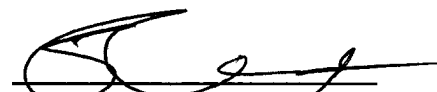
Authorized to accept service by Legal Department

Sworn to me on: November 20, 2007

Linda Forman  
Notary Public, State of New York  
No. 01FO5031305  
Qualified in New York County  
Commission Expires August 1, 2010

  
Robert M. Forman  
Notary Public, State of New York  
No. 01FO6125415  
Qualified in New York County  
Commission Expires April 18, 2009

Larry Yee  
Notary Public, State of New York  
No. 01YE5015682  
Qualified in New York County  
Commission Expires July 26, 2009

  
**SIEH CLARK**  
License #: 1187234  
Docket #: 523081

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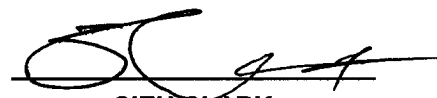
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